C-407 No. 121 of 2001
(Old No. 3596 of 1994)
Hon'ble M.M.Ghildiyal, J.

This transfer application has been moved u/s 407 of the Code of Criminal Procedure by the applicant with a prayer to transfer the case no. 11/25 of 1985 u/s 145/146 Cr.P.C., P.S. Ram Nagar, District Nainital to some other court from the court of Sub Divisional Magistrate, Nainital on the bias against him. The Magistrate concerned has out side knowledge of the case, not based on the evidence on record.

Since, the person/officer against whom the applicant has apprehension that he will not get justice, has already been transferred, the application has become infructuous.

Accordingly, the transfer application is dismissed as infructuous.

Stay order, if any, is discharged.

(M.M.Ghildiyal, J.)

12.03.2004:
NCM: